

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK
BUFFALO DIVISION**

STATE FARM LIFE AND ACCIDENT
ASSURANCE COMPANY,

Plaintiff,

CASE NO. 1:22-cv-00611-LJV

vs.

BETHANY J. BEIERSDORF a/k/a
BETHANY J. HOBIN, and
ZACHARY BEIERSDORF,

Defendants.

JOINT MOTION FOR INTERPLEADER RELIEF

Plaintiff, State Farm Life and Accident Assurance Company (“State Farm”), and Defendants, Bethany J. Beiersdorf a/k/a Bethany J. Hobin and Zachary Beiersdorf, through undersigned counsel, respectfully request an Order pursuant to Fed. R. Civ. P. 22 and 67: (1) directing State Farm to distribute to the Clerk of Court a check equal to the sum of \$99,992.54 (“Death Benefit”), representing the life insurance proceeds due as result of the death of Thomas J. Beiersdorf, Jr. (the “Insured”) pursuant to individual life insurance policy number AS-0159-3690 (the “Policy”), which was issued by State Farm to the Insured, plus applicable interest (together, the “Interpleader Funds”); (2) directing the Clerk to deposit the Interpleader Funds into an interest-bearing account pending further direction from the Court; (3) discharging State Farm of all liability and dismissing with prejudice all claims against State Farm relating to the Death Benefit, the Interpleader Funds, or otherwise in connection with the Policy; (4) permanently enjoining the Defendants from instituting or prosecuting any claims or actions against State Farm in any forum

seeking payment of the Death Benefit or otherwise in connection with the Policy; and (5) dismissing State Farm from this action, with prejudice, and without fees or costs to any party.

Dated: December 20, 2022

Respectfully Submitted,

D'ARCAMBAL OUSLEY & CUYLER BURK LLP

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